

REMARKS

Claims 10-15 are withdrawn. Claims 1-9 and 16-32 have been examined. Claims 4-6, 8, 20-21, 26, and 30-32 have been amended. Claims 1-9 and 16-32 are all the claims pending in the application.

Formal matters

Applicant thanks the Examiner for acknowledging claim to foreign priority and receipt of a certified copy of the priority document. Applicant also thanks the Examiner for reviewing and initialing the document in the information disclosure statement submitted on June 25, 2004.

Applicant notes that the Examiner has not indicated the status of the drawings, and respectfully requests the Examiner to accept the drawings on the next Office Action.

Claim objections

Claims 4-9, 20-21, and 26-32 stand objected to under 37 C.F.R. § 1.75(c) as being in improper form because they are multiple dependent claims that depend from a multiple dependent claim. Applicant has amended the claims as suggested by the Examiner and therefore respectfully requests that the objection be removed.

Allowable subject matter

Applicant thanks the Examiner for indicating that claims 16-19 and 22-25 are allowed.

Claim rejections -- 35 U.S.C. § 102

Claims 1-3 stand rejected under 35 U.S.C. § 102(b) as allegedly being unpatentable over U.S. Patent Application Publication No. 2001/0017503 to Tsuyoshi. Applicant respectfully traverses this rejection.

Claim 1 recites the feature that an arrangement of said active part and said inactive part is opposite between adjacent piezoelectric vibrators. The Examiner maintains that this feature is met by Kitahara at Fig. 2. Specifically, at Fig. 2, Kitahara shows a plurality of piezoelectric vibrators 28, 29 arrayed as a row like teeth in a comb shape. Paragraph 76. A portion of the vibrators 29 is a free end part 23a, and another portion is a base end part 23b. In Fig. 2, approximately one half of the piezoelectric vibrators 29 is the free end part 23a and the other half is the base end part 23b. The free end part 23a of the piezoelectric vibrators 29 is displaced (expanded or contracted), while the base end part 23b is not. (see paragraphs 79 and 80). The Examiner maintains that this arrangement meets the recited feature of the claim. However, Applicant respectfully disagrees.

In Fig. 2, the same side of each adjacent piezoelectric vibrator 29 is the base end part 23b. That is, the bottom part of each piezoelectric “tooth” in Fig. 2 is the base end part 23b, which is not displaced. On the other hand the top part of each piezoelectric “tooth” in Fig. 2 is the free end part 23a and is displaced. What the Examiner has thus uncovered is actually the conventional art apparatus, as described at pages 2, line 27 to page 5, lines 21 of the specification in reference to Fig. 18 of Applicant’s drawings. By contrast, the claim requires that *between two adjacent* piezoelectric vibrators, the arrangement of the active part and the inactive part of the two adjacent piezoelectric vibrators be opposite each other.. This arrangement is not shown by Kitahara, and therefore claim 1 is patentable over Kitahara.

Claims 2 and 3 are patentable based on their dependencies. Applicant therefore respectfully requests the Examiner to withdraw the rejection.

Conclusion

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,



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